



San Francisco
Theological Seminary

Family Educational Rights and Privacy Act (FERPA) Policy

For purposes of this statement, students will include only those individuals who have been admitted to and enrolled in and registered for the degree or certificate programs at San Francisco Theological Seminary, including the MDiv, MATS, GTU MA, D Min, DASD, and CPE programs.

The term “student” includes an individual who has been admitted to and has enrolled in or registered with the San Francisco Theological Seminary, as defined above. The term “student” does not include an individual who has not been in attendance at the San Francisco Theological Seminary. Please note: An individual who is or has been enrolled in one institution, who applies for admission to a second institution, has no right to inspect the records accumulated for the second institution until enrolled therein.

The Family Educational Rights and Privacy Act of 1974 (FERPA), as amended, is a Federal law which states (a) that a written institutional policy must be established and (b) that a statement of adopted procedures covering the privacy rights of students be made available. The law provides that the institution will maintain the confidentiality of student education records.

The San Francisco Theological Seminary accords all the rights under the law to students who are declared independent. No one outside the institution shall have access to nor will the institution disclose any information from students’ education records without the written consent of students except to personnel within the institution; to certain government officials as specified in the FERPA statute (as amended), and implementing regulations, 34 CFR pt. 99; to officials of other institutions in which students seek to enroll; to persons or organizations providing students financial aid; to accrediting agencies carrying out their accreditation function; to persons or entities in compliance with a subpoena or court order; and to persons in an emergency in order to protect the health or safety of students or other persons. All these exceptions are permitted under the Act.

A student may consent to disclosure not otherwise specifically authorized by the FERPA statute. Such consent should be in writing, and should specify the information and/or documents to be disclosed, the persons or entities to whom disclosure will be made, and the purpose of the disclosure. If disclosure is made to a person or entity outside the institution (either by consent or by authorized exception), a notation should be made in the student’s record of the disclosure and the authorized reason for disclosure, unless otherwise directed by court or government order. Disclosure is also legally authorized under the provisions of the Patriot Act, under certain circumstances specified in the Act, without notation in the record or notice to the student of disclosure.

Within the San Francisco Theological Seminary community, only those members, individually or collectively, acting in the students' educational interest are allowed access to student education records. These members include personnel in the Dean's Office (including the Dean, Associate Dean of Student Life, Associate Registrar, and the SFTS Financial Aid Office in conjunction with the GTU Financial Aid Office), the Admissions Office, the Business Office, and academic personnel and student-support staff within the limitations of their job-related need to know.

At its discretion the institution may provide Public Information in accordance with the provisions of the Act to include: student name, address, telephone number, email address, date of birth, place of birth, area of study, year in school, dates of attendance, degree program(s), registration information, dissertation or thesis title, religious affiliation/order, scholarships and honors, most recent previous degree and school, country of citizenship, school/school of affiliation. *Students may withhold Public Information by notifying the Registrar prior to the start of classes for fall semester (or, for the D.Min., DASD, and CPE programs, prior to the start of the January term, summer term, or CPE unit, as applicable).* Notification must be in writing via email or signed letter.

*Request for non-disclosure will be honored by the institution for **only one** academic year; therefore authorization to withhold Public Information must be filed annually in the Registrar's Office.* This is particularly relevant to the publication of the Many Faces Directory.

The law provides students with the right to inspect and review information contained in their education records, to challenge the contents of their education records, to have a hearing with the Dean and appointed hearing panel if they are dissatisfied with the outcome of the challenge, and to submit explanatory statements for inclusion in their files if they are dissatisfied with the decisions of the hearing.

The Associate Registrar at the San Francisco Theological Seminary has been designated by the institution to coordinate the inspection and review procedures for student education records, which include admissions, personal, academic, and financial and placement records. Students wishing to review their education records must make written requests via email or letter to the head of the appropriate office, listing the item or items of interest.

Only records covered by the Act will be made available within forty-five days of the request. Students may have copies made of their records with certain exceptions (e.g., a copy of the academic record for which a financial "hold" exists or a transcript of an original or source document which exists elsewhere). Transcripts are available from the Registrar for a charge of \$5.00 per copy.

Student education records **do not include** records of instructional, administrative, and educational personnel which are the sole possession of the maker and are not accessible or revealed to any individual except a temporary substitute for the person who made the record; do not include employment records; and do not include alumni records.

Students **may not** inspect and review the following as outlined by the Act: confidential letters and recommendations associated with admissions, employment or job placement, or honors to which they have waived their rights of inspection and review; or education records containing information about more than one student, in which case the institution will permit access **only** to that part of the record which pertains to the inquiring student. The institution is **not** required to permit students to inspect and review confidential letters and recommendations placed in their files prior to January 1, 1975, provided those letters were collected under established policies of confidentiality and were used only for the purposes for which they were collected.

Students who believe that their education records contain information that is inaccurate or misleading, or is otherwise in violation of their privacy or other rights may discuss their problems informally with the Associate Dean of Student Life. If the staff decisions are in agreement with the student's request, the appropriate records will be amended. If not, the student will be notified within a reasonable period of time that the records will not be amended; and he/she will be informed by the Associate Dean of Student Life of his/her right to a formal hearing. Student requests for a formal hearing must be made in writing to the Dean/Vice President for Academic Affairs who, within a reasonable period of time after receiving such a request, will inform the student of the date, place, and time of the hearing. The student may present evidence relevant to the issues raised and may be assisted or represented at the hearings by one or more persons of his/her choice, including attorneys, at the student's expense. The hearing panels which will adjudicate such challenges will be appointed by and chaired by the Dean/Vice President for Academic Affairs. The hearing panel will consult with legal counsel as appropriate.

Decisions of the hearing panel will be final, will be based solely on the evidence presented at the hearing, and will consist of written statements summarizing the evidence and stating the reasons for the decisions, and will be delivered to all parties concerned. The education records will be corrected or amended in accordance with the decisions of the hearing panel, if the decisions are in favor of the student. If the decisions are unsatisfactory to the student, the student may place with the education records statements commenting on the information in the records, or statements setting forth any reasons for disagreeing with the decisions of the hearing panel. The statements will be placed in the education records, maintained as part of the student's records, and released whenever the records in question are disclosed.

Students who believe that the adjudications of their challenges were unfair or not in keeping with the provisions of the Act may request, in writing, assistance from the President of the institution to aid them in filing complaints with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, DC 20202-4605.

Revisions and clarifications will be published as experience warrants.

Students, faculty, and staff should direct any questions about the Seminary's FERPA policy to the Associate Dean of Student Life and/or the Associate Registrar.

Definition of Terms

San Francisco Theological Seminary FERPA Policy

Student

The term “student” includes an individual who has been admitted to and has been enrolled in the degree or diploma programs at San Francisco Theological Seminary, including the MDiv, MATS, GTU MA, D Min, DASD, and CPE programs. The term “student” does not include an individual who has not been in attendance at the San Francisco Theological Seminary. Please note, an individual who is or has been enrolled in one institution, who applies for admission to a second institution, has no right to inspect the records accumulated for the second institution until enrolled therein.

Student Education Records

Student education records mean those records which are directly related to a student and maintained by the institution or by a party acting for the institution. Student education records include, but are not limited to, academic evaluations, transcripts, test scores and other academic records, general counseling and advising records, disciplinary records, and financial aid records.

The term “student education records” does **not** include:

- a. Records of instructional, supervisory, and administrative personnel and educational personnel ancillary thereto which:
 1. are in the sole possession of the maker thereof; and
 2. are not accessible or revealed to any other individual, except to an individual who performs on a temporary basis the duties of the individual who made the record.

- b. Records relating to an individual who is employed by the San Francisco Theological Seminary which:
 1. are made and maintained in the normal course of business;
 2. relate exclusively to the individual in that individual’s capacity as an employee;
 3. are not available for any other purpose.

The above paragraph does not apply to records relating to an individual who is employed in an educationally related position as a result of his or her status as a student (e.g. work-study).

- c. Records which contain only information relating to a person after that person is no longer a student, such as information pertaining to alumni.

Public/Directory Information

The term “public information” as used in the San Francisco Theological Seminary FERPA policy is synonymous with the term “directory information” in the Federal Family Educational Rights and Privacy Act of 1974 and the State of California Education Code.

The term “public information” shall be limited to student’s name, address, email address, telephone number, date of birth, place of birth, area of study, dates of attendance, year in school, degrees, registration information, dissertation or thesis title, religious affiliation/order, scholarships and honors, most recent previous degree and school, country of citizenship, school/school of affiliation.

School Directory

The term “school directory” refers to the annual Many Faces Directory published by the San Francisco Theological Seminary (or other similar program directories).

Latest revision: July 2016